

AMENDED IN SENATE JUNE 15, 2011

AMENDED IN ASSEMBLY APRIL 4, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 346

Introduced by Assembly Member Atkins

February 10, 2011

An act to add Section 12289 to the Elections Code, relating to polling places.

LEGISLATIVE COUNSEL'S DIGEST

AB 346, as amended, Atkins. Polling places: higher education campuses.

Existing law regulates the establishment of polling places. Under existing law, the local elections official may request the use of school buildings as polling places.

This bill would, for *state* elections conducted by a county *or city and county*, require the county *or city and county* elections official to establish at least one polling place within the county's *or city and county's* electoral jurisdiction on a higher education campus, as defined, except as specified. By requiring county *and city and county* elections officials to perform new duties, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state,

reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 12289 is added to the Elections Code, to
2 read:
3 12289. (a) (1) For *state* elections conducted by a county *or a*
4 *city and county*, the county *or city and county* elections official
5 shall establish at least one polling place on a higher education
6 campus located within the electoral jurisdiction of the county *or*
7 *city and county*. ~~This~~
8 (2) *This* section does not apply to a county *or city and county*
9 elective official of a county ~~that~~ *or city and county in either of the*
10 *following circumstances:*
11 (A) *The county or city and county* does not have a higher
12 education campus within its jurisdiction.
13 (B) *The county or city and county has a population of fewer*
14 *than 150,000 people.*
15 (b) For purposes of this section, “higher education campus”
16 means the campus of a community college, the California State
17 University, or the University of California.
18 SEC. 2. If the Commission on State Mandates determines that
19 this act contains costs mandated by the state, reimbursement to
20 local agencies and school districts for those costs shall be made
21 pursuant to Part 7 (commencing with Section 17500) of Division
22 4 of Title 2 of the Government Code.